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APPLICATION NO	).	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/501,776		03/15/2005	Moti Shniberg	1246-US2 7137	
24505	7590	12/04/2006		EXAMINER	
DANIEL		SKY	MULLEN, THOMAS J		
55 REUVE BEIT SHE		99544		ART UNIT	PAPER NUMBER
ISRAEL				2612	
				DATE MAILED: 12/04/2006	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)	K			
	10/501,776	SHNIBERG ET AL	<u>.</u> .			
Office Action Summary	Examiner	Art Unit				
	Thomas J. Mullen, Jr.	2612				
The MAILING DATE of this communication app Period for Reply	pears on the cover sheet with the c	orrespondence ad	dress			
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING D.  Extensions of time may be available under the provisions of 37 CFR 1.1 after SIX (6) MONTHS from the mailing date of this communication.  If NO period for reply is specified above, the maximum statutory period or Failure to reply within the set or extended period for reply will, by statute Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tin will apply and will expire SIX (6) MONTHS from , cause the application to become ABANDONE	N. nely filed the mailing date of this co D (35 U.S.C. § 133).				
Status	•		•			
<ul> <li>1) Responsive to communication(s) filed on 7/7/0</li> <li>2a) This action is FINAL. 2b) This</li> <li>3) Since this application is in condition for alloware closed in accordance with the practice under E</li> </ul>	action is non-final.		e merits is			
Disposition of Claims	• •					
4) ☐ Claim(s) 120-158 is/are pending in the applica 4a) Of the above claim(s) is/are withdraw 5) ☐ Claim(s) 120-155 is/are allowed. 6) ☐ Claim(s) 156 and 158 is/are rejected. 7) ☐ Claim(s) 157 is/are objected to. 8) ☐ Claim(s) are subject to restriction and/o	wn from consideration.					
Application Papers						
9) The specification is objected to by the Examine	_					
10) The drawing(s) filed on is/are: a) acc Applicant may not request that any objection to the Replacement drawing sheet(s) including the correct 11) The oath or declaration is objected to by the Ex	epted or b) objected to by the I drawing(s) be held in abeyance. See ion is required if the drawing(s) is obj	e 37 CFR 1.85(a). ected to. See 37 CF				
Priority under 35 U.S.C. § 119			. *			
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.						
Attachment(s)  1) Notice of References Cited (PTO-892)  2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO/SB/08)  Paper No(s)/Mail Date	4)  Interview Summary Paper No(s)/Mail Da 5)  Notice of Informal P 6)  Other:	ite				

Application/Control Number: 10/501,776

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1. The responses filed 7/7/06 and 10/16/06 have been fully considered.

2. The indicated allowability of claims 156 and 158 is withdrawn in view of the newly discovered reference(s) to Cameron (US 6685094). The delay in citing and applying this art is regretted. Rejections based on the newly cited reference(s) follow.

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3. Claims 156-158 are objected to under 37 CFR 1.75(a) for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 156, line 3, the semi-colon after "and" should either be deleted, or changed to a comma.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 156 and 158 are rejected under 35 U.S.C. 102(e) as being anticipated by Cameron (US 6685094).

Note in Cameron, Figs. 1, 2A-B and 4A-B; the Abstract; and col. 2, line 40 to col. 4, line 28. Cameron discloses a visually sensible indicator ("thermochromic bar code" 130) mountable on an object (i.e., a "product" or "item" for sale in a retail environment--see e.g. col. 1, lines 51-53), the indicator 130 comprising "a coded indication of object identification" (inherent in the use of a "bar code" in the environment and for the purpose discussed by Cameron; note also the standard bar code 10, with respect to which bar code 130 is identical under normal temperature conditions), and "a coded indication of object environment history" (i.e., Cameron teaches using "thermochromic materials"--col. 1, lines 63-65--as part of bar code 130, note "thermochromic digits/modules" 80,110 in Figs. 2A-B and 4A-B, such that when the product having the bar code

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130 attached thereto is subjected to temperatures above a predetermined threshold, the thermochromic materials in the bar code become transparent, thus changing the code to "record a(n) environmental event in the bar code's history", col. 3, lines 64-65; in other words, to provide a "coded indication" of the object's "environmental history").

6. Claim 157 would be allowable if rewritten to overcome the objection(s) under 37 CFR 1.75(a) set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Claims 120-155 are allowed.

- 7. This Office action is non-final.
- 8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Mullen, Jr. whose telephone number is 571-272-2965. The examiner can normally be reached on Monday-Thursday from 6:30 AM to 4 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu, can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TJM

THOMAS MULLEN PRIMARY EXAMINER

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